



Landmarks & Urban Conservation Commission



Agenda Number: 5
Case No.: 09-LUCC-50047
Project # 1008066
December 9, 2009

Staff Report

Agent	Yolanda Montoya	Staff Recommendation DEFERRAL of Case # 09-LUCC-50047, Project #1008066, a request for a Certificate of Appropriateness for alteration, based on the Findings 1-10 beginning on page 9. Maryellen Hennessy Staff Planner
Applicant	Ernest, Gloria, Leo and Angel Santisteven	
Request	Certificate of Appropriateness	
Legal Description	Lot 11, Block 40, Huning Highland Addition	
Address/Location	701 Coal SE	
Size		
Zoning	SU2/RO	
Historic Location	Huning Highland Historic Overlay Zone	

Summary of Analysis

The application is for a Certificate of Appropriateness for alteration at a commercial building in the Huning Highland Historic Overlay Zone.

The submittal is deficient in many areas and does not provide the minimum information required for analysis.

Conditional Use approval and Special Exception for setbacks are required.

The neighborhood association has requested additional time to meet with the developer to address their concerns about the proposed development.

Redevelopment of this site would be an asset to the Huning Highland Historic Overlay Zone. A deferral for sixty days would allow time for the plans to be revised to reflect minimum standards. The applicants should use this time to pursue required approvals such as Conditional Use and any necessary Special Exceptions with regard to setbacks.

PRIMARY REFERENCES:

Landmarks and Urban Conservation Ordinance; Design Guidelines for the Huning Highland Historic Overlay Zone.

City Departments and other interested agencies were given the opportunity to review this application from 11/19/09 to 11/25/09. Agency comments that were received were used in the preparation of this report, and begin on page 11.

Development Review Division Report:

SUMMARY OF REQUEST

<i>Requests</i>	<i>Certificate of Appropriateness for Alteration</i>
<i>Historic Location</i>	<i>Huning Highland Historic Overlay Zone</i>

AREA HISTORY AND CHARACTER

Surrounding architectural styles, historic character and recent (re)development

	<i># of Stories</i>	<i>Roof Configuration, Architectural Style and Approximate Age of Construction</i>	<i>Historic Classification & Land Use</i>
<i>General Area</i>	1-3	Gabled, hipped, and flat, flat with decorative parapets; Queen Anne, Simplified Queen Anne, Bungalow, contemporary; 1898-2000.	Contributing, non-contributing Residential and Commercial
<i>Site to the North</i>	1	Hip roofed; hipped box; 1907	Contributing; residential
<i>Sites to the South</i>	1	Flat roofed; Southwest Vernacular; 1932	Contributing; commercial
<i>Sites to the East</i>	1	Flat roofed industrial building; 1950 (Mead's Bakery)	Non-contributing; commercial
<i>Site to the West</i>	2	Hip roofed; hipped box; 1907	Contributing; residential

Background

The subject building at 701 Coal SE, at the northeast corner of Coal and High Street, is a masonry building of no style that was built in 1952. It has been used as a retail store for the bakery located directly to the east and, more recently, for automotive repair. It is designated non-contributing to the Huning Highland historic district.

As shown on the zone maps that are part of this report, properties on High Street between Coal and Lead Avenues are zoned SU/RO in the Huning Highland Sector Development Plan. This category of zoning corresponds to the R-2 (Low Density Residential) zone in the Comprehensive City Zoning Code with provisions for some limited commercial activity with a conditional use permit. Such permits are subject to application and approval by the Zoning Hearing Examiner (see attachment).

The new building would front on High Street rather than Coal. The land use on High Street between Coal and Lead Avenues, with the exception of the subject site, is residential. Directly to the west at 419 & 423 High Street are two historic houses that have recently been rehabilitated after being declared sub-standard by housing Code Enforcement. They are currently for sale. To the north of the subject site is a contributing residential building.

Directly to the east is a two-story industrial type building that was the Mead's baking company.

The High Street area has some unusual site development due to the rise in the topography from west to east. This site has a tall retaining wall on the east that is incorporated into the existing building. The existing building sits inside this retaining wall in the northeast corner of the lot at the lot lines (see attached photos).

The proposed development at 701 Coal SE is presented as a tenant improvement. The project, however, is more complicated than a simple alteration to the existing building. The only portions of the existing building that would be retained are the two existing CMU retaining walls on the north and east of the existing building. A new building is proposed incorporating those two existing walls. The building would remain sited in the northeast corner of the site.

APPLICABLE PLANS, ORDINANCES, DESIGN GUIDELINES & POLICIES

Albuquerque-Bernalillo County Comprehensive Plan of 1988, amended 2003

This site is a Historic Resource in terms used in the *Comprehensive Plan*. The plan sets out goals and policies concerning land use, environmental protection and heritage conservation. Chapter II, Section 5, Historic Resources Goals and Policies (pp. II-61-II-62) states:

“The Goal for Historic Resources is to protect, reuse or enhance significant historic buildings and districts.”

Applicable Historic Resources policies include:

Policy a: Efforts to provide incentives for the protection of significant buildings and districts shall be continued and expanded.

Policy b: Research, evaluation, and protection of historical and cultural properties in the City and County shall be continued where appropriate.

Policy c: Increase public and inter-agency awareness of historic resources and preservation

This site is contained in the Central Urban Development Area, a portion of the Established Urban Development Area as defined in the *Comprehensive Plan*, and is subject to the policies of Section II.B.5 (Established Urban Area) as well as the Central Urban Area policies. The Goal of the Central Urban Area is to “promote the Central Urban Area as a focus for arts, cultural, and public facilities/activities while recognizing and enhancing the character of its residential neighborhoods and its importance as the historic center of the City.”

The Goal of the Established Urban Area is to “create a quality urban environment which perpetuates the tradition of identifiable, individual, but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.”

Applicable Established Urban Area policies include:

Policy d: “The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, and recreational concern.”

Policy o: “Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened.”

Huning Highland Sector Development Plan

The Huning Highland Sector Development Plan was first adopted in 1977, and revised in 1988. The Plan generally encompasses properties between Martin Luther King Boulevard and Coal Avenue and Broadway Boulevard and Locust Avenue; specific boundaries are shown on Map 2 on page 4 in the Plan. It sets forth goals and policies regarding land use:

The Goal of the Plan is "the continued development of Huning Highlands into a viable residential and commercial area, building on its unique historic character and location." Plan objectives include, as related to this proposal:

1. To protect and enhance the unique residential character of the area.
2. To encourage appropriate neighborhood-oriented use of vacant lands and buildings.
3. To represent fairly all interests in the Huning Highland Sector Plan area.

Huning Highland Historic Overlay Zone Design Guidelines

The subject site is contained within the Huning Highland Historic Overlay Zone. The Huning Highland Historic District (SR # 464) was listed on the State of New Mexico Register of Cultural Properties on August 27, 1976 and was listed on the National Register of Historic Places on December 9, 1978. The Huning Highland Historic Overlay Zone was adopted by the Council and established under Resolution (R-117-1980) on June 2, 1980. The Resolution also approved the Design Guidelines. The design guidelines were revised and included in the 1988 *Huning Highland Sector Development Plan*. The Huning Highland Historic Overlay Zone protects the historic and architectural characteristics of the individual buildings. The Landmarks and Urban Conservation Commission (LUCC) retains jurisdiction over the exterior appearance of the buildings within the Historic Overlay Zone, both contributing and non-contributing buildings, residential and non-residential. The design guidelines are administered by the LUCC, and include direction on such issues as building height, massing, proportion and scale, use of materials in new and existing buildings, relationship between buildings, landscaping, roadways, sidewalks, etc.

Landmarks and Urban Conservation Ordinance

This site consists of a contributing property in the Huning Highland Historic Overlay Zone and the project is subject to certain provisions of the Landmarks and Urban Conservation Ordinance (Article 12, R.O.A., 1994). The purpose of this ordinance is to:

"Preserve, protect, enhance, perpetuate and promote the use of structures and areas of historical, cultural, architectural, engineering, archeological or geographic significance located in the city; to strengthen the city's economic base by stimulating the tourist industry; to enhance the identity of the city by protecting the city's heritage and prohibiting the unnecessary destruction or defacement of its cultural assets; and to conserve existing urban developments as viable economic and social entities."

Section 14-12-8 (A) of the LUC ordinance provides that:

"Within the boundaries of a historic zone, urban conservation overlay zone, or landmark site, the exterior appearance of any structure shall not be altered, new structures shall not be constructed, and existing structures shall not be demolished until a Certificate of Appropriateness has been duly approved."

ANALYSIS

The submittal is deficient in several areas and does not provide the minimum information required. The site plan provided does not reflect the context of the new development. Although the address of the site is on Coal Ave., a somewhat heavily trafficked Principal Arterial street, this project fronts on High Street, a residential street in the Huning Highland neighborhood. Adjacent buildings are not demonstrated on the site plan as required, nor are the alley and other relevant information as detailed on the site plan checklist provided to the applicant. No pictures of existing buildings or site conditions were provided.

The site plan is not adequately dimensioned to evaluate conformance with Development Process Manual standards for the parking area. Not enough information is provided regarding parking requirements for the proposed use, there are no calculations included in the submittal. (see Transportation Comments).

The cover analysis indicates actual building floor area of 5,920 sq. ft. Sheet A-5, first floor plan indicates 2399 sq. ft. and Sheet A-7, second floor indicates 1365, which added together would be 3764 sq. ft. The cover analysis appears to be inaccurate in several respects, including number of stories, exits, use, etc.

The proposed site plan appears deficient with regard to landscaping. The landscape plan (Sheet A-3) is not dimensioned and notated as required by Section 14-16-3-10 of the Zoning Code, Landscape Regulations, and therefore landscaping calculations cannot be verified. The zoning code requires a minimum of ten feet of landscaped buffer between residential and non-residential uses. The site plan, as noted above, does not address adjacent land uses or structures. The landscape plan (Sheet A-3) has keyed notes, but those keys are not shown on the plan. The notes appear to be for a different project, including such items as "permeable paving surface to be utilized in RV sales."

The dumpster is inappropriately located for a residential neighborhood and appears not to meet the access standards of Solid Waste Department (see comments).

The project is labeled as tenant improvements, as noted earlier in this report, however; only two existing "retaining" walls will be used in the project. If a new wall is constructed inside of the retaining wall, this project could be considered a new building rather than an alteration. If the "retaining" walls are to be structural, Building and Safety comments indicate that the applicant will need to demonstrate that the existing CMU walls are engineered adequately for the proposed new structure. Engineered drawings will be required. In the overall, it is just not clear from the submittal what the existing and proposed conditions are with regard to the existing wall on the east (see comments).

Property lines are not noted on the site plan, as requested in the submittal checklist. This appears to be a zero lot line structure; therefore, the applicants will need some sort of easement agreement with the property owners to the north to provide for construction and maintenance of the north wall of the building.

Door and window details as requested on the submittal checklist were omitted. The elevations (Sheet A-14) do not provide sufficient detail.

The proposed use as doctor's offices will require a Conditional Use permit. The existing zoning is SU2/RO, and the Huning Highland Sector Development Plan addresses Conditional Uses.

The existing building is non-conforming as to setback. As noted in the Zoning comments, expansion of an existing non-conforming condition requires Special Exceptions.

Huning Highland Development Guidelines

The project has not been evaluated for conformance with the specific development guidelines due to the outstanding issues with the submittal. The project is presented as an alteration to an existing building, but based upon the degree of new construction it could be considered a new building. Building and Safety has the authority to determine the basis of the permit application.

Both the guidelines for new construction and for alteration to existing commercial structures ask that parking be located to the rear or the side of buildings. This site plan offers a large parking area at the front of the building on High Street

The style of the proposed building references Territorial Revival and is generally compatible with the guidelines. The windows on the proposed building are generally not compatible with the vertically oriented window shapes in the district.

Staff suggests some mitigation of these elements.

LUC Ordinance

The project is not ripe for evaluation for conformance with the LUC Ordinance because of the outstanding issues discussed above.

Additional Considerations

The Huning Highland Historic District Association, the affected recognized neighborhood association, has requested a deferral of this case until they have the opportunity to meet with the applicant and discuss their concerns about the project.

CONCLUSIONS

The project as submitted could warrant a recommendation of denial, however; redevelopment of this site would be an asset to the Huning Highland Historic Overlay Zone. Staff and the neighborhood association would like to work with the applicant to address areas for improvement.

A deferral for sixty days would allow time for the plans to be revised to reflect minimum standards. The applicants should use this time to pursue required approvals such as Conditional Use and any necessary Special Exceptions with regard to setbacks.

FINDINGS for a request for a Certificate of Appropriateness for Case #09-LUCC-50047/Project #1008066 (December 9, 2009)

1. This application is a request for a Certificate of Appropriateness for a building at 701 Coal SE, described as Lot 11, Block 40 of the Hunings Highland Addition, a property in the Huning Highland Historic Overlay Zone, zoned SU-2/RO.
2. The subject building is designated as non-contributing to the Huning Highland Historic district.
3. The proposal is to remove the majority of the existing building, leaving only two existing "retaining" walls on the north and east property line. This wall would be incorporated into a new building.
4. The project is presented as an alteration to an existing building.
5. The submittal is deficient in its site plan as analyzed in the staff report. The site plan requires revision in order to comply with City of Albuquerque development standards.
6. The submittal is deficient in its landscape plan as analyzed in the staff report. The landscape plan requires revision in order to comply with City of Albuquerque development standards.
7. The development will require the approval of other City agencies with regard to permissive use and may require Special Exceptions for setback as proposed.
8. A sixty-day deferral would allow time for the applicants to revise the submittal, and secure other required approvals.
9. A sixty-day deferral would allow time for the applicants to meet with the recognized neighborhood association regarding the project.
10. A sixty-day deferral would allow time for the applicants to consult with City staff to improve conformance with the development guidelines for the Huning Highland Historic Overlay Zone.

RECOMMENDATION - Case #09-LUCC-50047/Project #1008066 (December 9, 2009)

DEFERRAL of Case #09-LUCC-50047/Project #1008066, an application for a Certificate of Appropriateness for a building at 701 Coal SE, described as Lot 11, Block 40 of the Hunings Highland Addition, a property in the Huning Highland Historic Overlay Zone, zoned SU-2/ based on the above 10 Findings.

**Maryellen Hennessy, Senior Planner,
Current Planning Division**

Attachments

CITY OF ALBUQUERQUE AGENCY COMMENTS

ZONING CODE SERVICES DIVISION

NO RESPONSE

BUILDING & SAFETY SERVICES DIVISION

- 1) Building permit submittal required.
- 2) Exterior existing walls located at property shall be reviewed and stamped by NM Engineer to secure adequate support. Verify adequate rating of wall and adequate bearing footing for two stories.
- 3) Bathroom shall be accessible per ANSI A11.7.1-2003.
- 4) No penetrations through stairs.
- 5) One hour rating required continuing up to parapet.
- 6) No openings at property exterior walls.
- 7) Review contingent upon submittal.

HISTORIC PRESERVATION/ADVANCED PLANNING

NO COMMENT

TRANSPORTATION DEVELOPMENT

- Site Layout: Based upon the information provided, a full Traffic Circulation Layout (TCL) will be required for this site prior to any building permit approval. This TCL must include additional geometric information and clarify existing versus proposed conditions prior to a complete review. The ADA accessible pathways must be clearly shown, and details must be provided.
- On Street Parking Credits: Please note that, per Section 14-16-3-1(E)(6)(d) of the Zoning Code, "Where parking spaces are provided on a public street and abut the property, one half of the parking may be counted toward the off-street parking requirement of a building or use on such property provided the on-street parking spaces are approved by the Traffic Engineer, in conjunction with a site plan approval for off-street parking." A separate application must be made to Transportation Development. This application requires public notification by the Planning Department of all residents within 250 feet of the property for which on-street parking credit is sought.

SOLID WASTE MANAGEMENT DEPARTMENT

Need to move enclosure in order to hit it straight on.

PNM

ENVIRONMENTAL HEALTH DEPARTMENT

FIRE DEPARTMENT/Planning

COMMENTS FROM OTHER AGENCIES, WHEN APPLICABLE:

TRANSIT DEPARTMENT

POLICE DEPARTMENT

PARKS AND GENERAL SERVICES

OPEN SPACE DIVISION

BERNALILLO COUNTY

ALBUQUERQUE FLOOD CONTROL AUTHORITY

ALBUQUERQUE PUBLIC SCHOOLS

MIDDLE RIO GRANDE COUNCIL OF GOVERNMENTS